



8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 AZCO BIOTECH INC., a Nevada
11 Corporation; and J. ADAMS, an
individual,

12 Plaintiffs,

13 v.

14 QIAGEN, N.V., a Netherlands
holding company; STEVEN
15 GORDON, an individual; JINGYUE
JU, an individual; JERZY OLEJNIK,
16 an individual; and INTELLIGENT
BIO-SYSTEMS, INC., a Delaware
Corporation; and Does 1-50,
17 inclusive,

18 Defendants.

19 INTELLIGENT BIO-SYSTEMS,
INC.,

21 Counter Claimant,

22 v.

23 AZCO BIOTECH INC.,

24 Counter Defendant.

Case No. 12-cv-2599-BEN (DHB)

PLAINTIFFS' EXHIBITS

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2 **PLAINTIFFS' EXHIBITS**
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4 **A. Plaintiffs' Exhibits**
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6 **(a) Intended to Offer at Trial**
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NO.	DESCRIPTION	OFFERED	ADMITTED
1	WITHDRAWN		
2	Jeremy Edwards' deposition excerpts 13 October 2014		
3	Steven Gordon's deposition taken on 18 September 2014		
4	Evan Guggenheim's deposition taken on 17 September 2014		
5	WITHDRAWN		
6	WITHDRAWN		
7	Jerzy Olejnik deposition taken on 16 September 2014		
8	Jennifer Iozza's deposition taken on 17 September 2014		
9	Bernadette Toner's sworn statement taken on 14 October 2014		
10- 15	WITHDRAWN		
16	18 July 2011 email Jerzy Olejnik to Steven Gordon, with attached 13 July 2011 Summary Statement (Deposition Exhibit 41)		12-7-15 12-9-15
17	27 July 2011 email Jerzy Olejnik to Steven Gordon, with attachment, and J Adams' 29 July 2011 letter to Jerzy Olejnik (Deposition Exhibits 40-43).		12-8-15 12-8-15
18	July-August 2011 email Julia Karow to Steven Gordon		
19	9 August 2011 "In Sequence" article written by Julia Karow (Deposition Exhibit 140 and 115).		
20	10 August 2011 email from Steve Gordon to Jingyue Ju and Peter Golikov (Deposition Exhibit 94)	12-8-15	

NO.	DESCRIPTION	OFFERED	ADMITTED
	including the 9 August 2011 In Sequence article		
21	IBS' Board of Directors minutes meeting for 9 March 2011, 24 March 2011, 11 April 2011, 24 May 2011, 3 June 2011, 28 September 2011, and 18 January 2012		
22-23	WITHDRAWN		
24	IBS' 18 January 2012 Board of Director's Meeting powerpoint slides produced by Columbia University (Deposition Exhibit 98)		
25	17 February 2012 email Steve Gordon to Bettina Haedrich (Deposition Exhibit 96)		
26	WITHDRAWN		
27	26 March 2012 email Bernadette Toner to Steve Gordon and a 27 March 2012 Genomeweb article written by Bernadette Toner (Deposition Exhibit 142)		
28-30	WITHDRAWN		
31	30 May-11 June 2012 "Generally, I cannot recommend that we consider keeping Azco, as my experience is that they do not convey a high-quality, professional organization" email Steve Gordon and Bettina Haedrich, (Deposition Ex. 118)		
32	WITHDRAWN		
33	20 June 2012 and 21 June 2012 email Steven Gordon and Qiagen executive Dirk Loeffert (Deposition Exs. 119, 120)		
34	22 June 2012 email "Discussion with Azco" Steve Gordon and Qiagen executive Dirk Loeffert (Deposition Ex. 126)		

NO.	DESCRIPTION	OFFERED	ADMITTED
35	25-26 June 2012 email "press release" Steve Gordon and J. Adams (Deposition Ex. 121)	12-9-15	12-9-15
36	WITHDRAWN		
37	20 July 2011 letter Gordon to Golikov (Deposition Ex. 97) and Max -Seq brochure referenced	12-9-15	12-9-15
38	7 March 2011 email J Adams to Gordon (IBS_559)	12-8-15	12-8-15
39	11 March 2011 email Adams-Gordon with attached Term Sheet: "Once this term sheet is agreed to by the parties, Azco will begin moving forward" (Deposition Exhibit 81)		
40	21 March 2011 email "if we move too slowly we will miss any remaining market opportunity for 2nd generation sequencing." (Deposition Exhibit 48) (IBS_1583-89)	12-8-15	12-8-15
41	AACR April 2011 booth reservation receipt, cardholder J Adams	12-8-15	12-8-15
42	25 March 2011 email J Adams-Steve Gordon "we agree with the terms you have presented." (IBS_3337)	12-8-15	12-8-15
43-44	WITHDRAWN		
45	11 April 2011 email Azco sales manager Rich Randazzo-Steven Gordon "We had about 15 good leads." (IBS_498)	12-8-15	12-8-15
46	WITHDRAWN		
47	2011 ASHG website page promoting the conference		
48	22 September 2011 email Gordon-Azco's sales manager Rich Randazzo "Yes, we think we can put together a shell Max-Seq for the ASHG show for October 11.	12-8-15	12-8-15
49	28 September 2011 email J Adams-Gordon "booth graphics I have	12-8-15	12-8-15

NO.	DESCRIPTION	OFFERED	ADMITTED
	designed for the ASHG show."		
50	29 January 2012 email J Adams-Gordon and Azco sales team about the installation of the Korea PGI unit and the interest in the second IBS instrument that would later be named the Mini-20	12-8-15	12-8-15
51	3 November 2011 email Gordon-J Adams "Wanna do anything special at ABRF...looks like we will need to cough up \$'s if we wanna do this."	12-9-15	12-9-15
52	Itinerary of speakers at the ABRF Conference		
53	Azco's invoice and check making payment for the booth to launch the Mini-20 (Deposition Exhibit 100)	12-8-15	12-8-15
54	1 March 2012 email J Adams-Gordon "Sequencing with a twist" Powerpoint slides. 2 March 2012 email J Adams-Gordon where J Adams coined the term "Mini-20"	12-8-15	12-8-15
55	17-20 March 2012 email J Adams-Gordon attaching brochures to be used at the ABRF conference in Orlando, Florida (IBS_876)	12-8-15	12-8-15
56	3 March 2012 through 5 March 2012 email IBS-Azco team for "leverage prior communications" in the industry publications		
57	Powerpoint presentation Gordon gave at ABRF launching the Mini-20	12-8-15	12-8-15
58	Email including "Tweets" on the social media app "Twitter" about the Mini-20 during Gordon's presentation at the ABRF conference.		
59	20 March 2012 email J Adams-IBS-Azco team with a list of leads from the ABRF show.	12-8-15	12-8-15
60	April 2012 brochures J Adams drafted to promote the Mini-20. (IBS_16538; IBS_21241)	12-8-15	12-8-15

NO.	DESCRIPTION	OFFERED	ADMITTED
61	19 April through 23 April 2012 emails from J Adams related to an order of a Mini-20 from IBS	12-8-15	12-8-15
62	WITHDRAWN		
63	5 March 2012 email Adams to Gordon, Olejnik "asking our whole team for ideas..." (IBS_5507-09)	12-8-15	12-8-15
64	WITHDRAWN		
65	27 March 2012 genomeweb In Sequence article entitled "IBS Plans Q4 Shipment of Targeted Sequencing System that Runs 20 Samples in Parallel." (Deposition Exhibit 142)		
66	11 March 2011 email J Adams-Gordon "Thank you for visiting us yesterday....I have 'roughed' out a term sheet for your review" (IBS_543)		
67-68	WITHDRAWN		
69	24 June 2011 email J Adams-IBS Gordon & Jerzey attaching J Adams' marketing plan (IBS_1333-39)	12-8-15	12-8-15
70-71	WITHDRAWN		
72	Termination letter from IBS to Azco (AZCO_196)	12-8-15	12-8-15
73-112	2 September 2003 Revision 1.0 by Company/LC (IBS_16539-61)		
113	List of Expenses Related to IBS (\$935,000) (AZCO_390)		
114-127	Cost of Capital / Discount Rate Inputs		
128	WITHDRAWN		
129	Richard Randazzo deposition excerpts July 29, 2014		
89		12-9-15	12-9-15
130	4-1-12 email Gordon to Wibitsch IBS - 7545 5	12-10-15	12-10-15
131	PLAINTIFFS' EXHIBITS	12-10-15	CASE NO. 12-CV-2599-BEN (DHB)